

REQUEST FOR PROPOSALS
FOR A
WIND ENERGY PROJECT
SUPRISE CREEK WIND FARM
STANFORD, MONTANA
JUDITH BASIN COUNTY



STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND
CONSERVATION

TRUST LAND MANAGEMENT DIVISION

Release Date March 23, 2009

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GENERAL INFORMATION

1. DESCRIPTION OF SOLICITATION

1.1 Introduction

The Department of Natural Resources and Conservation (DNRC) Trust Land Management Division requests proposals from wind energy project developers for the development of wind exploration and energy facilities to be located on state school trust lands. The state school trust lands covered in this Request for Proposals (RFP) are described in [Section 1.2](#) of this RFP.

DNRC seeks proposals from experienced wind project developers capable of designing, constructing, financing, and operating a commercial-scale wind energy facility. To receive serious consideration, proposals must also incorporate state-of-the-art measures to minimize impacts to the environment.

1.1.1 Site Visit

Applicants interested in visiting the site should contact Clive Rooney at the DNRC North Eastern Land Office: clrooney@mt.gov; 406.538.7789.

1.1.2 Legal Access to Property

This property is entirely legally accessible.

1.1.3 This RFP is in 3 Phases

Phase I:

Cover and Title Page (Sect. 3.1).

Developer Experience and Project Participants (Sect. 3.2).

Project Summary (Sect. 3.3).

Site Control/Access (Sect. 3.4).

Compensation to the State (Sect. 3.5).

Highest legitimate bidder will be invited to submit information required in Phase II.

Phase II:

Environmental Review, Key Permits (Sect. 4.1).

Demonstration of Financial Ability (Sect. 4.2).

Receipt of Bid Deposit (Sect. 4.3).

Phase III:

Project Description (Sect. 5.1).

Project Site and Expansion Potential (Sect. 5.2).

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Transmission Availability and Electrical Interconnection (Sect. 5.7).

Environmental Review, Key Permits (Sect. 5.8).

Schedule (Sect. 5.9).

If the department determines a proposal is responsive and meets minimum criteria, a land use license will be offered to allow the developer access and development rights to the parcel(s), and upon completion of the elements of the remaining two phases and an acceptable environmental review through the MEPA process, a lease will be offered to the developer.

DNRC reserves the right to reject any or all proposals.

1.2 Trust Lands Offered for Wind Energy Project

County:

Judith Basin

Location:

T17N, R10E

Sec 21,	S2SE4, SW4
Sec.22	S2
Sec.23	NE4, W2SE4, SW4
Sec.25	SW4
Sec.26	ALL
Sec.27	ALL
Sec.28	N2N2
Sec.36	ALL

1.3 Contents of this Request for Proposals

This RFP consists of a statement of Project Requirements and a Response Format. The statement of Project Requirements describes the features DNRC seeks in wind project proposals, the criteria that will be used to evaluate them, and other considerations. The Response Format describes the contents and format required for the technical and cost proposals.

1.4 Objectives

DNRC's objectives in issuing this RFP are:

- To lease state trust lands for wind exploration and new commercial-scale wind facilities;
- To generate income for state trust beneficiaries that reflects fair market value of the use of trust lands for wind energy development;
- To achieve commercial operation of the wind projects as soon as possible, with minimal impacts to the environment.

This solicitation is not aimed at research, development, or demonstration projects.

1.5 Solicitation Schedule

The schedule for this RFP is as follows:

March 23, 2009Publish Request for Proposals.

April 3, 2009Deadline to submit questions and request RFP clarification to
DNRC.

April 8, 2009DNRC provides answers to questions to the entire distribution list.

April 29, 2009Phase I proposals are due by 5 p.m. Mountain Time.

To be determinedPhase II proposals are due.

To be determinedPhase III proposals are due.

1.6 Where to Send Proposals; Deadline for Receipt

Submit five paper copies of the proposal, as well as one electronic copy, to the address shown below:

SURPRISE CREEK WIND FARM SEALED COMPETITIVE BID
DNRC – REMB
Attn: MIKE SULLIVAN
PO BOX 201601
HELENA MT 59620-1601

The electronic copy can be mailed as a CD or flash drive to the address above, or emailed to Mike Sullivan at misullivan@mt.gov.

The file(s) must be in Microsoft Word and Excel files.

All **proposals must be received before 5 p.m. Mountain Time on April 29, 2009**, to receive consideration. The paper copies of the proposal will be used to determine compliance with the deadline.

1.7 Withdrawal and Modification of Proposals

Bidders may withdraw their proposal and submit a revised proposal prior to the response deadline. After the response deadline, bidder-initiated changes will not be accepted. Bidders may withdraw their proposal from consideration at any time, however, bidders participating in Phase II and beyond will be required to submit a bid deposit of \$1,000. See [Section 4.3](#).

1.8 Confidential or Proprietary Information.

DNRC will not accept proposals or other documents that are marked to indicate the entire document is the confidential or proprietary information of the sender or that restricted handling is required. If the bidder considers the Cost Proposal or Wind Resource Data to be confidential or proprietary, those portions of the proposal must be clearly marked “Confidential” on every page, with the specific confidential material on each page circled.

1.9 Communication

All communication with DNRC related to this RFP must be sent by email to the following address: Mike Sullivan; 406.444.6660; <mailto:mmisullivan@mt.gov>.

Parties who request a copy of the RFP or send email regarding the RFP will be placed on an email distribution list. Questions and requests for clarification regarding the RFP – and DNRC responses – will be distributed to everyone on the email distribution list.

2. RESPONSE FORMAT

2.1 Introduction

This section contains the instructions for preparing the Technical Proposal. If more than one proposal is submitted, each must be submitted as a separate proposal that includes the requested project information. A minimum set of mandatory information is required to ensure an adequate description of the proposed work. A prescribed format for the proposal is given to facilitate preparation and evaluation.

The merits of a proposal depend on: (1) how well the proposal demonstrates understanding of and meets DNRC's objectives and requirements as described in the Project Description; (2) the bidder's qualifications; and (3) the bidder's responsiveness to the technical proposal preparation instructions, which follow. Additional material may be presented beyond that requested only if it is necessary for clarification of the proposal. Elaborate proposals, lengthy discussions, and non-critical attachments are discouraged.

2.2 Proposal Details and Format

The proposal presents the bidder's plans for the project based on the concepts given in the Project Description, the details requested below, and how the bidder expects the project to proceed.

The proposal must be organized and have the requested information in the sequence presented below. Sections must be numbered and identified as given below. Additional subsections may be defined if they will help present and identify important material. If a requested item is not known or is not applicable, please indicate that in the applicable section of the proposal. Please note that if an applicant has questions or seeks clarification regarding the RFP, there is a question and answer period in which all questions from applicants will be collected and the answers provided to all RFP applicants. Relevant documents may be cited, but copies are not expected to be included as part of the proposal at this time unless specifically requested.

Proposals must be typed single space on 8.5x11 inch paper with each page numbered. Proposals must also be submitted as computer files in Microsoft Word or Excel. The computer files should be submitted on a CD or emailed as specified in [Sections 1.6 and 1.9](#).

2.3 Response Detail

Responses to Phase I and Phase II should be clear and concise, designed to convey intent and the basic concept of supporting information.

Responses to Phase III should be in-depth. For example, if a statement in Phase II was made indicating that officials from the U.S. Fish and Wildlife Service believe the proposed wind development will be clear of any avian concerns, Phase III would include specific information and supporting documentation from the USFWS clearly supporting the statement made in Phase II.

2.4 Proposal Evaluation Process

Each proposal received on time will be reviewed and evaluated by a proposal evaluation panel composed of DNRC staff and consultants.

Proposals will be screened to determine if they contain the requested information in the required format. Proposals that meet these criteria will be designated *responsive* and proceed to the next level of evaluation. Proposals that do not meet these criteria will be designated *non-responsive* and set aside.

Responsive proposals will be evaluated and ranked according to the criteria found in Phase I, II and III.

2.5 Developer Selection and Contract Award Process

The responsive proposal with the best overall score will move into the contract negotiation stage. If no proposals are deemed satisfactory, DNRC may return all proposals and consider the RFP solicitation closed. The DNRC will decide at a later time whether or not it is in the interest of the state to issue a new solicitation for RFPs.

The top ranking bidder will be contacted to confirm details relative to their Technical Proposal, development schedule, and compatibility with DNRC's decision-making schedule. A letter of intent to enter into contract negotiations will be sent to the bidder. Best faith efforts will be made at this stage by DNRC and the selected bidder(s) to establish contract terms that meet the respective parties' requirements. If this is not possible within 90 days of issuing the letter of intent, the proposal may be eliminated and the process may be repeated for the next qualified proposal.

2.6 Threshold Requirements

Proposed projects must meet the following threshold requirements. Proposals that do not meet these requirements will be rejected.

Phase I, II and III

1. The proposal must be received before the response deadline, adhere to the Response Format, and contain all of the requested information.

Phase III

1. The developer must demonstrate site control by providing copies of wind leases on adjacent lands if applicable or other evidence that the developer has secured all land and access rights needed to construct and operate the facility for the term of the lease.
2. Output from the facility must be delivered to a transmission line that has sufficient capacity to transmit it and has firm and or non-firm transmission rights available or already in the applicant's name. Transmission considerations are discussed in [Section 6.2](#) of this RFP. The applicant must demonstrate that the above is possible or necessary steps will be taken to acquire and accomplish the requirement.
3. The developer must provide estimates of hourly, daily, and monthly power production, as further described in the Response Format section of this RFP.

Phase II and III

4. The developer must be willing to cooperate in the environmental review required under the Montana Environmental Policy Act (MEPA). MEPA requires state agencies to consider the environmental impacts of any major decision before making an irretrievable commitment of resources. The MEPA process is described in [Section 6.3](#) below. Costs associated with the development and completion of the environmental review and MEPA compliance will be borne by the applicant.

PHASE I

3. TECHNICAL PROPOSAL

3.1 Cover and Title Page

Put the name of the project, company name, date of the proposal, the person(s) responsible for the proposal preparation, and all co-sponsors currently in the project. Number each copy on the cover "Copy 1 of 7," "Copy 2 of 7," et cetera.

3.2 Developer Experience and Project Participants

Include background information indicating why the proposer is qualified to bid on the RFP.

Identify the organizations and key personnel responsible for implementing the project. Identify the project manager, his/her tenure, and scope of responsibility.

Identify the management structure and key managers who will be responsible for the following technical work area:

- Project wind resource assessment and energy projections.
- Power plant design, engineering and construction specifications.
- Interconnection and substation design.
- Project environmental assessments.
- Permits and related approvals.
- Power plant construction and commissioning.
- Power plant operations.
- Power plant maintenance.

Include a brief description of the direct wind power and other relevant experience of the key personnel for their responsibility area listed above.

Identify contacts and references (name, title, address, telephone and fax numbers, and email) knowledgeable about the previous wind project experience of the key participants in the project.

Discuss any known and planned relationships with other utilities, developers, vendors, subsidiaries and others that will participate in the planning, development or operational phases of the project. This does not include ad-hoc project consultants or contractors.

Identify the wind power related consultants and contractors you expect to use on the project.

Discuss who will be responsible for the routine operation and control of the wind plant, their qualifications, and when they will assume that responsibility.

Identify third parties, if any, which will be used to finance the project. Discuss the assurance of such support.

3.3 Project Summary

Summarize the project, including key elements such as the approximate location of towers on the site, turbine make, type and nameplate power production capacity, number of towers, amount of power to be generated.

3.4 Site Control/Access

Provide documentation of ownership status of roads used to access the project sites contained in the proposal and evidence that the proposer has secured access across any private property necessary to access state land.

3.5 Compensation to the State

The applicant must detail the annual planned compensation to DNRC for the ground lease of state school trust land. The minimum annual bid is as follows:

3.5.1 Exploration and Secured Development Rights

Wind exploration \$2.00 per acre per year. Developers should be aware that the agreement memorializing the secured development rights will be issued for a maximum 10-year period, with the first 5-year rental at the bid amount in the developer's RFP response (at or above the minimum bid), and the second 5-year period will be charged at double the bid amount.

3.5.2 Installation Fees

Minimum one time installation fee equal to \$2,500 per megawatt of installed capacity.

3.5.3 Operating Fee

Three percent (3.0%) of gross annual revenues, or \$3,000 for each megawatt of installed capacity annually, whichever is greater.

3.5.3.1 Definition of "Gross Annual Revenues"

The fair market value of electricity produced upon the leasehold, or all compensation received by the lessee for the production of electricity and its attributes, whichever is greater. Payments received by or on behalf of the Lessee from a utility or from any other person or entity for electrical generating capacity and for electricity sold to a utility or to any other person or entity by the Lessee which is generated from the normal and intended use of the wind power facilities constructed by the Lessee and located on the state trust land. Revenues shall be determined as measured at the interconnect to a utility transmission system of another purchaser of electrical energy, without deduction of offset of any kind, including all revenues from green tag/certificated, pollution or environmental credits or offsets. For the purpose of computing gross revenue from green tag/certificates, pollution or environmental credits or offsets, the lessor's portion will be based on a ration of the total energy produced at the lease premises to the total energy produced at the wind project. For the purposes of computing gross revenues all electricity generated at the lease premises that is donated or bartered electricity or non-electric products shall be valued at the rate of its most recent prior sale by the lessee, or prevailing commercial rates, whichever is higher. This also includes payments to the Lessee by an insurer or by the manufacturer of any wind turbine generator, which are made specifically in lieu of revenues as defined above.

3.6 Proposal Evaluation

Phase I – 350 points maximum.

1. Compliance with the threshold criteria in [Section 2.6](#). Proposals that do not satisfy the threshold criteria will not receive further consideration.
2. Compensation to the State: 100 points
3. Proven capability to build and operate large-scale wind energy facilities: 150 points
 - Point Breakdown:*
 - *Key managers experience of 10 or more years:* 50 points
 - *Key managers experience of 3-5 years* 20 Points
 - *Relationships with other utilities, developers, vendors:* 50 Points
 - *Planned relationships with other utilities, developers, vendors* 20 Points
 - *Power purchase agreements:* 50 points
 - *Plan to develop power purchase agreements:* 20 points
 - *No purchase agreements:* 0 points
4. **Total:** **250 points**

Following review of the information contained in Phase I proposals, the highest legitimate bidder will be invited to submit the information for Phase II. See [Section 2.5](#) for more detail on the selection process.

At this point DNRC will determine the successful applicant and a land use license (LUL) for "Exploration and Secured Development Rights," and the developer will be offered a lease for wind power development, pending successful completion of phases II and III, and of an environmental analysis of the actions proposed.

Developers should be aware that the LUL agreement memorializing the secured development rights will be issued for a maximum 10-year period, with the first 5-year rental at the bid amount in the developer's RFP response (at or above the minimum bid), and the second 5-year period will be charged at double the bid amount.

PHASE II

4. TECHNICAL PROPOSAL

4.1 Environmental Review, Key Permits

Discuss known environmental issues relative to the development and operation of the project, including avian issues and baseline noise levels. If possible, provide a copy of an up-to-date listing of candidate, listed, and proposed endangered or threatened species habitat in the proximity of the project. This listing can be obtained from the U.S. Fish and Wildlife Service.

Provide copies of any wildlife or other environmental studies that have been performed related to the project. If such studies are in progress, describe them and identify the person(s) or firm(s) doing the studies including name, title, address, telephone and fax numbers, and email.

Outline the format of the Environmental Assessment (EA) or Environmental Impact Statement (EIS) describing what data will be included and whether that data is currently available or when that is expected to be available.

Describe measures that will be taken to minimize the potential for avian mortality, noise, and visual impacts of the facility. The DNRC expects that a 4-season bird and bat study will be a part of the environmental review.

Identify the key permits (such as a conditional use permit or site certificate) required to build and operate the project. Discuss their current status, the schedule for obtaining key permits and approvals, and the approach to be used. Include this schedule in the schedule requested in [Section 5.9](#).

RFP respondents may want to look at the following web site for a general list of permitting for wind farms.

<http://www.deq.mt.gov/energy/renewable/windweb/WindPermits.asp>

Outline the process you plan to follow to involve local residents in the planning/permit process.

4.2 Demonstration of Financial Ability

Information submitted in Phase II must include a balance sheet (pro-forma) for leasing and developing the property. This must include a summary of projected income and costs for the first 5-10 years of the operation of the lease along with a discussion of the economic assumptions upon which the projections are based. The summary must include an analysis of the annual minimum cash flow requirements for the applicant to break even.

4.3 Bid Deposit

Applicants in Phase II will be asked to submit a \$1000 bid deposit. An applicant selected to lease this state property may apply the bid deposit amount toward the cost of placing a tower on state land. If an applicant is not chosen by DNRC the bid deposit will be refunded. An applicant who withdraws a proposal after being selected as the successful applicant for Phase III and beyond will forfeit that money and DNRC will keep the bid deposit.

4.4 Proposal Evaluation

The proposal evaluation panel may determine that additional information is needed to fully evaluate a proposal. Information or required details may be sought from the applicant in the form of additional written material or oral presentation that will expand upon the original material presented in the proposal.

PHASE III

5. TECHNICAL PROPOSAL

Phase III must be completed and approved prior to issuance of a lease for wind energy development.

5.1 Project Description

Describe the project in greater detail. Describe the project's features and the work completed to date. Describe the wind data collection program for the site. Discuss how the long-term annual expected energy from the project would be established.

Indicate if requested information is not known. Include the following information (this list is indicative, not exhaustive):

- Project location. Provide a map showing the location of key sites for facilities.
- Project size in acreage. If the project can be expanded, please describe.
- Expected annual and monthly output (in megawatt-hours) of the facility. A graph showing monthly output is suggested.
- The make and model of wind turbines that will be used. If a final wind turbine selection has not been made, list the candidates under consideration.
- Where the facility will connect to a transmission system, and any new transmission facilities that will be required.
- The schedule for permitting and construction, and expected date of commercial operation.

5.2 Project Site and Expansion Potential

Describe the size of the wind power plant (number of units, nameplate capacity, and estimated annual output) to be installed as part of the proposed project. If additional wind turbines could be installed in the future, estimate the potential total installed nameplate capacity of wind turbines that could be installed at the site.

5.3 Site Control

Provide documentation of site control, including wind rights, access road, and transmission corridor easements needed to construct and operate the facility during the term of the power purchase agreement. An example of such documentation would be copies of lease agreements with landowners.

5.4 Project Output

Provide an estimate, in tabular form, of monthly and hourly project output in megawatt-hours. Provide this information separately as an Excel file. Describe how the estimate was derived.

5.5 Wind Resource

Describe the source and basis of the wind speed data used in the development of the proposal. Include the purpose and location of the data collection, period of record, levels of measurements and seasonal data recovery, and the organization responsible for the data collection.

5.6 Major Equipment

Describe the selection criteria and process that was used to select the wind turbine. Describe past operating experience, if any, with the selected turbine and manufacturer.

Provide technical specifications for the selected turbine.

Describe the other major wind plant components, such as towers, controllers, major electrical components, and software. Identify the suppliers and provide technical specifications.

Include the schedule for procurement and delivery of the turbines and other key components of the project in the schedule requested in [Section 5.9](#).

5.7 Transmission Availability and Electrical Interconnection

Identify the expected interconnection point to the available transmission system. Discuss any new pole lines, line upgrades, switchyards and substation work required to complete the interconnection.

Discuss the distribution or transmission grid capacity at the interconnection now, after planned upgrade work, and then after the project is in full operation.

Provide copies of system impact studies, interconnection studies, and correspondence with appropriate Transmission Business Line related to the availability of transmission capacity and whether system upgrades will be needed to integrate the proposed wind project.

Discuss the availability of transformers and other long-lead electrical equipment that will be required to support the project.

Describe plans for metering the energy from the project.

Include the schedule for completing the expected electrical interconnection work in the schedule requested in [Section 5.9](#).

5.8 Environmental Review, Key Permits

The proposer is responsible for securing the data and resources necessary to complete an Environmental Assessment (EA) or Environmental Impact Statement (EIS), along with the responsibility of developing the majority of the EA or EIS document itself. The DNRC will be the decision maker on the EA or EIS. Discuss known environmental issues relative to the development and operation of the project, including avian issues and baseline noise levels. If

possible, provide a copy of an up-to-date listing of candidate, listed, and proposed endangered or threatened species habitat in the proximity of the project. This listing can be obtained from the U.S. Fish and Wildlife Service.

Provide copies of any wildlife or other environmental studies that have been performed related to the project. If such studies are in progress, describe them and identify the person(s) or firm(s) doing the studies including name, title, address, telephone and fax numbers, and email.

Describe measures that will be taken to minimize the potential for avian mortality, noise, and visual impacts of the facility. The proposer is responsible for securing a study of avian impacts from the proposed wind farm.

Identify the key permits (such as a conditional use permit or site certificate) required to build and operate the project. Discuss their current status, the schedule for obtaining key permits and approvals, and the approach to be used. Include this schedule in the schedule requested in [Section 5.9](#).

Outline the process involving local residents in the planning/permit process.

The proposer and the DNRC, shall ensure that the preparation and completion of the environmental review shall be consistent with the Montana Environmental Policy Act (MEPA), see [Section 6.3](#).

5.9 Schedule

Show a schedule of tasks in a graphic form, such as a Gantt chart, detailing the length of time required for each task. Include the time lines requested in other sections of this Technical Proposal so that all schedules are together.

5.10 Additional Information

Provide additional information, with appropriate headings, that will help describe the project and plans.

6. FINAL PROJECT REQUIREMENTS

This RFP is directed at experienced wind project developers with demonstrated ability to design, construct, operate, and maintain large-scale wind energy facilities. Applicants must be able to obtain transmission rights, necessary road and utility easements, the lessee is responsible for the design, labor, materials, and equipment necessary to construct and operate the project.

Respondents must be able to obtain construction and long term project financing. Respondents will be responsible for a transmission study to determine if nearby transmission lines have the carrying capacity to accept and deliver energy generated from the wind project and costs associated with the preparation and completion of the environmental review under the Montana Environmental Policy Act (MEPA), see [Section 6.3](#).

6.1 Project Design

The developer must design, engineer, procure, construct, install, and provide all support necessary to build a wind energy facility and deliver the output to an available transmission system. Developer obligations include but are not limited to:

- Securing all land rights, easements, and rights-of-way needed to construct and operate the facility.
- Obtaining or updating any permits or agreements required for the project, including any wheeling agreements necessary to deliver project output to existing transmission systems.
- Paying the costs for environmental impact mitigation, monitoring, and studies required for the project.
- Operating, maintaining, and decommissioning the facility, and the associated costs.

Wind turbines must be appropriate for utility-grade operations and designed to have an expected life commensurate with the term of the lease. Wind turbines must be procured from an established vendor of commercial wind turbines. Advanced wind turbine designs or important modifications to previous versions of the same turbine or auxiliary equipment components will be considered, provided other requirements of this RFP are met. However, field-testing of new turbine designs is not an objective of this RFP, and proven designs will be preferred.

Electrical equipment, metering, and interconnection facilities must be selected, installed, and maintained in accordance with prudent utility industry practices and must comply with further requirements as described in [Section 5.7](#).

6.2 Interconnection to the Transmission Systems

Obtaining a system impact study to determine transmission availability and upgrades necessary to integrate the project is the responsibility of the project developer. A professional Transmission Services Associate should be contacted for information regarding the cost and time required for the system impact study.

Facilities necessary to deliver the output to the transmission line and the cost of hardware and engineering services needed to connect to the system are the responsibility of the project developer. The developer will need to request an interconnection study from the appropriate owner of the Transmission Line. The Transmission Services Account Executive should be contacted for information regarding the cost and time required for the interconnection study.

6.3 Environmental and Permitting Considerations

MEPA requires state agencies to consider the environmental consequences of a major decision prior to making an irretrievable commitment of resources. It is expected that in nearly all cases an Environmental Assessment (EA) or Environmental Impact Statement (EIS) will need to be completed before making a decision whether to sign a lease agreement for a new wind power facility on state school trust land. DNRC will have sole discretion to decide the level of environmental review required.

An EA with a finding of one or more significant impacts related to the proposal would automatically elevate the environmental review to an EIS.

An EA with no significant findings, referred to as a Finding of No Significant Impact (FONSI) in National Environmental Policy Act language, would mostly likely allow the project to proceed with only the EA level of environmental review.

Most power projects require an EIS.

The applicant will pay for the EA or EIS, develop the majority of the environmental review document, and will be expected to cooperate in the process.

Project design must incorporate state-of-the-art measures to minimize the potential for avian mortality, reduce noise, and minimize visual impacts of the facility. The project must incorporate and comply with mitigation measures identified in the EA or EIS.

If the project requires county or state permits, such as a conditional use permit or site certificate, the developer will be expected to obtain these permits and pay associated costs. Where applicable the EA or EIS can be used to satisfy county or state requirements.

6.4 DNRC Decision-Making Process

DNRC will not make a final decision to proceed with the project until DNRC's decision maker signs a Record of Decision (ROD). A lease agreement could be executed immediately after issuance of the ROD.